

AMENDMENTS TO THE INTERNATIONAL PROPERTY MAINTENANCE CODE AS DISCUSSED BY THE TASK FORCE.

Section 101: Insert Fort Smith, Arkansas in the brackets.

Section 101.3

Replace the reference to the International Existing Building Code with the Arkansas Fire Prevention Code Volumes I, II, and III.

Section 102.3

Replace the reference to the International Existing Building Code with the Arkansas Fire Prevention Code Volumes I, II, and III.

Delete reference to the International Zoning Code and replace with the Fort Smith Zoning Code.

Section 103.4 is hereby deleted. There shall be added a section 103.4 which provides:

The governmental immunity from liability and suit for the City and its employees as determined by Arkansas law shall be applicable to all activities of the City and its employees pursuant to this Code.

Section 103.5 Fees. Delete this section in its entirety.

Section 109.3

When necessary for public safety, the ~~code official~~ Fort Smith Police Department shall ~~temporarily close structures and~~ close, or order the authority having jurisdiction to close, sidewalks, streets, public ways and places adjacent to unsafe structures, and prohibit the same from being utilized.

Section 110.2; 110.3; and 110.4 are hereby deleted. There shall be added a section 110.2 which provides:

The procedures for demolition of offending structures shall be those set forth in Fort Smith Code of Ordinances Sections 16-86 through 16-97.

Section 111

111.1 Application for appeal.

When a dwelling unit or a structure shall be found to be in violation of any section of this code, any person directly affected by ~~a~~ the decision of the code official or a notice or order issued under this code shall have the right to appeal to the board of appeals, provided that a written application for appeal is filed within ~~20~~ 15 days after the day the decision, notice or order was served.

111.3 Notice of meeting.

The board shall meet upon notice from the ~~chairman~~ code official, within ~~20~~ 15 days of the filing of an appeal, or as stated periodic meetings.

111.5 Postponed hearing

Delete this section in its entirety.

111.7 Court review.

Any interested person, ~~whether or not a previous party of the appeal~~, shall have the right to apply to the appropriate court ~~for a writ of certiorari to correct errors of law in such decisions.~~ Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

Section 201

201.3 Terms defined in other codes.

Where terms are not defined in this code are defined in the Arkansas Fire Prevention Code Volumes I, II, and III, Fort Smith Zoning Code, Arkansas Plumbing Code, Arkansas Mechanical Code, or the National Electrical Code ~~International Building Code, International Fire Code, International Zoning Code, International Plumbing Code, International Mechanical Code, International Existing Building Code or the ICC Electrical Code~~, such terms shall have the meanings ascribed to them as in those codes.

Section 202

INOPERABLE MOTOR VEHICLE.

INOPERABLE OR UNSIGHTLY MOTOR VEHICLE: A vehicle which cannot lawfully be driven upon the public streets for reasons including but not limited to being unregistered, wrecked, dismantled, partially dismantled, abandoned, in a state of disrepair, or incapable of being moved under its own power are inoperable. One or more of the following items may cause a vehicle to be deemed to be inoperable :

1. Weed and/or grass undergrowth indicates that the vehicle has not been moved.
2. One (1) or more wheels are flat or missing for more than 72 hours
3. Portions of the vehicle which are needed for its operation or control are missing
4. Evidence exists that provisions of this code pertaining to zoning or to junk and salvage yards are being violated
5. Registrations are not current.
6. The engine and/or transmission are missing.
7. Doors, fenders, frames or axles are missing.
8. Windshields and windows are broken or missing.
9. The vehicle cannot be moved under its own power.

Section 302

302.3 Sidewalks and driveways.

All private sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.

302.4 Weeds.

All premises and exterior property shall be maintained free from weeds or plant growth in

excess of six (6) inches. (Keep the rest of this section.)

302.8 Motor vehicles

Except as provided for in other regulations, no inoperable or unsightly motor vehicle ~~inoperative or unlicensed motor vehicle~~ shall be parked, kept or stored on any premises, and no vehicle shall be at any time be in a state or major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

Exceptions:

- (1) A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.
- (2) Any motor vehicle parked or stored within a building or enclosed garage on private property.
- (3) Any motor vehicle held in conjunction with a business enterprise lawfully licensed by the city for the storage, servicing and repair of motor vehicles and properly operated in an appropriate business zone pursuant to the zoning ordinances of the city.
- (4) Any motor vehicle within a carport that is being actively repaired on at least a weekly basis. The vehicle and its parts when not being repaired shall be neatly covered with an opaque cover. Repairs to the inoperable motor vehicle shall be completed within ninety (90) days.
- (5) Any motor vehicle defined as inoperable solely because it is not currently registered may be stored in a covered carport or completely enclosed behind a six (6) foot opaque screening fence. One operable non-registered vehicle will be allowed per address.

Section 304

304.14 Insect Screens

Insert the dates of March 1 to October 1.

Exceptions:

1. Screens shall not be required where other approved means, such as air curtains or insect repellent fans are employed.
2. Screens shall not be required where the building is equipped with a functioning and approved central heating ventilating and air conditioning system.

304.18 Building Security

Add this sentence to the end of the paragraph.

All locks shall be designed and installed in such a manner so as to be operable inside of the dwelling unit, rooming unit, or housekeeping unit without the use of a key, tool, combination thereof or any other special knowledge or effort.

304.18.1 Doors

Delete this section in its entirety.

Section 307

307.2.1

Delete this section in its entirety.

307.2.2

Delete this section in its entirety.

307.3.1

Delete this section in its entirety.

Section 401

401.3

Replace the reference to the International Building Code and replace with the Arkansas Fire Prevention Code Volume II.

Section 505

505.2

amend the last sentence as follows:

Replace the reference to the International Plumbing Code with the Arkansas Plumbing Code.

Section 602

602.2 Residential occupancies.

Replace the reference to the International Plumbing Code with the Arkansas Plumbing Code.

Section 602.3 Heat Supply.

Every owner and operator of any building who rents, leases or lets one or more dwelling unit, rooming unit, dormitory or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat ~~during the period from [date] to [date]~~ to maintain a temperature of not less than 68°F (20°C) in all habitable rooms, bathrooms, and toilet rooms.

Exception #1

Replace the reference to the International Plumbing Code with the Arkansas Plumbing

Code.

602.4 Occupiable work spaces

Indoor occupiable work spaces shall be supplied with heat ~~during the period from [date] to [date]~~ to maintain a temperature of not less than 68°F (18°C) during the period the spaces are occupied.

Section 604

604.2

Replace the reference to the ICC Electrical Code with the National Electrical Code and the Fort Smith Electrical Code.

Section 702

702.1 General

Replace the reference to the International Fire Code with the Arkansas Fire Prevention Code Volume I.

702.2 Aisles.

Replace the reference to the International Fire Code with the Arkansas Fire Prevention Code Volume I.

702.3 Locked doors.

Replace the reference to the International Building Code with the Arkansas Fire Prevention Code Volume II.

Section 704

704.1 General

Replace the reference to the International Fire Code with the Arkansas Fire Prevention Code Volume I.

704.2 Smoke alarms.

Replace the reference to the International Fire Code with the Arkansas Fire Prevention Code Volume I.

Chapter 8 Referenced Standards

Replace the title of the codes to the following list of codes:

National Electrical Code and Fort Smith Electrical Code
Arkansas Fire Prevention Code Volumes I, II and III.
Arkansas Mechanical Code
Arkansas Plumbing Code
Fort Smith Zoning Code

